IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 263 of 2003 (S/S)

Hony. Capt. C.S. Sajwan (Retd)
S/o Late Shri Mahendra Singh Sajwan,
Village Rasulpur,
Chakrata Road,
Dehradun …….. Petitioner.

Versus

1. Station Sub-Area Canteen,
   Extension Counter, Vikas Nagar
   through its Chairman,
   Uttaranchal Sub Area, Dehradun Cantt,
   Dehradun.
2. Manger, Station Sub Area Canteen,
   Dehradun Cantt. District Dehradun.
3. Sub Area Commandant, Sub Area Dehradun Cantt,
   Heard Quarter Dehradun.
4. Union of India through Ministry of Defence,
   New Delhi …… Respondents.

……..

Mr. B.P.S. Mer, Advocate for the petitioner.
Mr. Alok Singh, Senior Advocate for the Respondents.

Coram: Cyriac Joseph, C.J.
Hon. J.S.S. Rawat, J.

JUDGMENT

CYRIAC JOSEPH, C.J. (ORAL)

1. The challenge in the writ petition is against an order of suspension passed against the petitioner. The operation of the suspension order was stayed by this Court. During the pendency of the writ petition, the petitioner was dismissed from service. The order of dismissal has been quashed by this Court and the respondents have been given liberty to take fresh action against the petitioner in accordance with law and complying with the principles of natural justice.

2. In the above circumstances, this writ petition has become infructuous. Hence the writ petition is dismissed as infructuous.

(J.C.S. Rawat, J.) **(Cyriac Joseph, C.J.)**
29.09.2005 **29.09.2005**